

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

MICHAEL PITTS
MARCELLA PITTS

CHAPTER 13
CASE NO: 10-53878-MBM
JUDGE: McIvor

Debtor(s)

**APPLICATION FOR AWARD AND APPROVAL OF PAYMENT OF PRE-CONFIRMATION
ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN
PURSUANT TO L.B.R. 9014-1 (E.D.M.) AND L.B.R. 2016-1 (E.D.M.) FROM MARCH 2, 2010
THROUGH JULY 22, 2010**

NOW COMES DANIELA DIMOVSKI, ATTORNEY AT LAW P.C., attorney for Debtor herein,
and moves this Honorable Court as follows:

- 1a. The total amount of fees requested in this fee application are \$3816.00
- 1b. The total amount of expenses sought are \$60.04..
- 1c. There is no balance of any retainer on deposit as Daniela Dimovski, Attorney at Law, P.C.

was not the original attorney of record.

2. The fees requested are for services rendered from March 2, 2010, through July 22, 2010.

3. Pursuant to L.B.R. 2016-1 (a)(3) (E.D.M.) and the fee agreement, the undersigned counsel for Debtors in summary, provided the following professional services: met with client(s) to discuss chapter 13 vs. chapter 7; had multiple meetings with the Debtors; prepared chapter 13 petition; prepared chapter 13 checklist; prepared fee agreement; prepared Statement of Social Security Number; prepared bankruptcy petition cover sheet; prepared correspondence to Debtors and creditors; met with clients to prepare chapter 13 plan and schedules; prepared means test; prepared chapter 13 notice; prepared F.R.B.P. 2016(b) statement; reviewed file for income information; prepared correspondence to trustee's office; prepared the ACH order; reviewed correspondence and pleadings from the Office of the Chapter 13 Trustee; prepared correspondence to clients; reviewed proofs of claims; reviewed file on several occasions; appeared at meeting of creditors; reviewed file notes; had communications with trustee's office; reviewed file to prepare for confirmation hearing; reviewed trustee's records; reviewed trustee's objection to confirmation; reviewed file for claims to be filed; and prepared fee application. The benefits conferred upon Debtors as a result of counsel's efforts are:

- a. Educated Debtors on maintaining financial responsibility and living within a

budget;

4. There were no adversaries in this case.

5. The current status of this case is as follows: The case has just been confirmed and will run timely as confirmed.

5a. N/A

5b. N/A

5c. The fees do not impact this case as Debtor signed a retainer agreement that allows Counsel to be compensated for services rendered that benefit the Debtor and the estate. The fees were accounted for in the worksheet. Counsel's services benefited both the Debtor and the estate. The case is running timely as Counsel's fees were anticipated in the worksheet.

6. Counsel anticipates that a periodic review will be completed to make sure that Debtor(s) case is running timely and that Debtor(s) is performing as required under the plan. Debtor will be notified as to the status of these reviews.

7. There are no unpaid administrative expenses.

8. Daniela Dimovski, Attorney at Law, P.C. charges for the services that Daniela Dimovski performs on each file.

9. Prior applications were sought and granted on: N/A

10. The Debtor was served with this application at least 7 days prior to the filing. Counsel for Debtor sought approval of these fees, via a letter to the Debtor, prior to the filing of this application. A copy of the letter seeking approval is attached. Furthermore, the Debtor was served with this application and notice and has 21 days in which to object if there are any concerns with the services provided and fees requested. Prior to this application, Debtor signed a retainer agreement and 2016b statement agreeing to compensate Counsel for services provided in connection with this case.

11-17. These are exhibits and are attached if applicable.

WHEREFORE, the undersigned counsel for Debtor(s) move for award and approval of pre-confirmation attorney fees and costs in the amount of \$3816.00 in fees and \$60.04 in costs for a total compensation of \$3876.04, attorney fees having been reserved in the Order Confirming Plan and Debtor's counsel having previously received \$726.00

Respectfully submitted,

By: /s/ Daniela Dimovski
DANIELA DIMOVSKI (60278)
Attorneys for Debtors
44200 Garfield Rd. Ste 124
Clinton Township, MI 48038
586-738-6329
danieladimovski@gmail.com

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

MICHAEL PITTS
MARCELLA PITTS

CHAPTER 13
CASE NO: 10-53878-MBM
JUDGE: McIvor

Debtor(s)

**ORDER AWARDING AND APPROVING PAYMENT OF PRE-CONFIRMATION ATTORNEY
FEE AND COSTS APPLICATION AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER
13 PLAN PURSUANT L.B.R. 9014-1 AND 2016-1 (E.D.M.) FROM MARCH 2, 2010 THROUGH
JULY 22, 2010**

This matter having come on to be heard upon the application of the attorney for the Debtor(s), all interested parties having been served with notice of the application and the provisions of L.B.R. 9014-1 and 2016-1 (E.D.M.) having been met, and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED:

1. The Court approves applicant's fees and expenses as follows:

Prior award for Fees	\$ 0.00
Prior award for Costs:	\$ 0.00
Total award to Date:	\$ 0.00
This award for Fees:	\$3816.00
This award for Costs:	\$60.04
Total this award:	\$3876.04
Amount paid directly by Debtor(s)	\$726.00
Balance to be paid from Chapter 13 Plan	\$3150.04
GRAND TOTAL FEES AND COSTS	\$3876.04

2. This award covers services rendered and expenses incurred from MARCH 2, 2010 THROUGH JULY 22, 2010.

EXHIBIT 1

EXHIBIT 2

N/A

United States Bankruptcy Court
Eastern District of Michigan

In re Michael Austin Pitts
Marcella Lee Pitts

Debtor(s)

Case No.
Chapter

13

STATEMENT OF ATTORNEY FOR DEBTOR(S)
PURSUANT TO F.R.BANKR.P. 2016(b)

The undersigned, pursuant to F.R.Bankr.P. 2016(b), states that:

1. The undersigned is the attorney for the Debtor(s) in this case.
2. The compensation paid or agreed to be paid by the Debtor(s) to the undersigned is: [Check one]

[] FLAT FEE

- A. For legal services rendered in contemplation of and in connection with this case, exclusive of the filing fee paid
B. Prior to filing this statement, received
C. The unpaid balance due and payable is

[X] RETAINER

- A. Amount of retainer received **726.00**

- B. The undersigned shall bill against the retainer at an hourly rate of \$ 240.00-per retainer agreement. [Or attach firm hourly rate schedule.] Debtor(s) have agreed to pay all Court approved fees and expenses exceeding the amount of the retainer.

3. \$ 274.00 of the filing fee has been paid.

4. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including: [Cross out any that do not apply.]

- ~~A. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;~~
~~B. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;~~
~~C. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;~~
~~D. Representation of the debtor in adversary proceedings and other contested bankruptcy matters;~~
~~E. Reaffirmations;~~
~~F. Redemptions;~~
G. Other:

Per Retainer Agreement

5. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

Per Retainer Agreement

6. The source of payments to the undersigned was from:

- A. XX Debtor(s)' earnings, wages, compensation for services performed
B. _____ Other (describe, including the identity of payor) _____

7. The undersigned has not shared or agreed to share, with any other person, other than with members of the undersigned's law firm or corporation, any compensation paid or to be paid except as follows:

Dated: April 22, 2010

/s/ Daniela Dimovski

Attorney for the Debtor(s)

Daniela Dimovski P60278

Daniela Dimovski Attorney at Law P.C.

44200 Garfield Road Suite 124

Clinton Township, MI 48038

586-738-6329 danieladimovski@gmail.com

Agreed: /s/ Michael Austin Pitts

Michael Austin Pitts
Debtor

/s/ Marcella Lee Pitts

Marcella Lee Pitts
Debtor

EXHIBIT

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Staff Summary:

<u>Name</u>	<u>Position</u>	<u>Hours</u>	<u>Rate</u>	<u>Fees</u>
Daniela Dimovski	Attorney	15.90	\$240.00	\$3816.00

Blended Attorney Rate: \$240.00

EXHIBIT 4

Daniela Dimovski Attorney at Law P.C.
44200 Garfield Rd
Suite 124
Clinton Township, MI 48038

EXHIBIT
5

Invoice submitted to:

Pitts, Michael and Marcella
3606 Harrison Ave
Rochester Hills, MI 48307

Invoice #	20082
Invoice Date	07/22/2010
For Services Through	07/22/2010

<u>Date</u>	<u>By</u>	<u>Service Summary</u>	<u>Hours/Rate</u>	<u>Amount</u>
In Reference To: 341 Meeting (Service)				
06/07/2010	DD	travel to and from 341	1.50 at \$240.00/hr	\$360.00
06/07/2010	DD	attend 341	2.00 at \$240.00/hr	\$480.00
In Reference To: 341 Meeting (Expenses)				
06/07/2010	DD	park at 341	\$8.00	\$8.00

Total Hours: 3.50 hrs
Total Service: \$840.00
Expenses: \$8.00
Total Amount: \$848.00

In Reference To: **Case Administration (Service)**

03/02/2010	DD	free consult	0.50 at \$240.00/hr	\$120.00
04/15/2010	DD	2nd meeting	1.00 at \$240.00/hr	\$240.00
04/23/2010	DD	prep pet and schedules	1.50 at \$240.00/hr	\$360.00
04/23/2010	DD	prep means test	0.80 at \$240.00/hr	\$192.00
04/27/2010	DD	signing appt	0.70 at \$240.00/hr	\$168.00
04/30/2010	DD	341 ltr to client with obligations	0.20 at \$240.00/hr	\$48.00
04/30/2010	DD	prep ach stip and order	0.30 at \$240.00/hr	\$72.00
04/30/2010	DD	prep aff and ltr to client wth ach info	0.20 at \$240.00/hr	\$48.00
05/17/2010	DD	motion to allow ach	0.50 at \$240.00/hr	\$120.00
05/26/2010	DD	rev 341 sheet	0.10 at \$240.00/hr	\$24.00
05/28/2010	DD	rev tee obj to ach motion	0.20 at \$240.00/hr	\$48.00
06/24/2010	DD	travel to and from hrg on tee obj to ach motion	1.50 at \$240.00/hr	\$360.00
06/24/2010	DD	attend ach motion hrg	0.20 at \$240.00/hr	\$48.00
07/13/2010	DD	run calc rev file prep for ch prep ocp and ch cert	0.50 at \$240.00/hr	\$120.00
07/22/2010	DD	ltr to client re conf of plan and ongoing obligations	0.20 at \$240.00/hr	\$48.00

In Reference To: **Case Administration (Expenses)**

04/30/2010	DD	341 ltr	\$0.04	\$0.04
04/30/2010	DD	copies 341 ltr	\$0.25	\$0.25
04/30/2010	DD	postage ach info and ltr	\$0.44	\$0.44
04/30/2010	DD	copies ach info	\$1.50	\$1.50
05/17/2010	DD	postage ach mtn	\$7.48	\$7.48
05/17/2010	DD	copies ach mtn	\$8.50	\$8.50
06/24/2010	DD	PARKING AT CH FOR ACH MTN HRG	\$8.00	\$8.00
07/22/2010	DD	postage ch ltr	\$0.44	\$0.44
07/22/2010	DD	copy ch ltr	\$0.25	\$0.25

Total Hours: 8.40 hrs
Total Service: \$2,016.00
Expenses: \$26.90
Total Amount: \$2,042.90

Daniela Dimovski Attorney at Law P.C.
44200 Garfield Rd
Suite 124
Clinton Township, MI 48038

Invoice submitted to:

Pitts, Michael and Marcella
3606 Harrison Ave
Rochester Hills, MI 48307

Invoice #	20082
Invoice Date	07/22/2010
For Services Through	07/22/2010

In Reference To: **Chapter 13 Plan (Service)**

04/23/2010 DD	prep chapter 13 plan	1.00 at \$240.00/hr	\$240.00
In Reference To: Chapter 13 Plan (Expenses)			
04/30/2010 DD	copies plan	\$12.00	\$12.00
04/30/2010 DD	postage plan	\$9.36	\$9.36

Total Hours:	1.00 hrs
Total Service:	\$240.00
Expenses:	\$21.36
Total Amount:	\$261.36

In Reference To: **Claims Administration (Service)**

05/04/2010 DD	rev poc discover	0.20 at \$240.00/hr	\$48.00
05/04/2010 DD	rev mtg poc	0.20 at \$240.00/hr	\$48.00
05/14/2010 DD	ford motor credit poc	0.20 at \$240.00/hr	\$48.00
05/20/2010 DD	rev bank of america poc	0.20 at \$240.00/hr	\$48.00
06/07/2010 DD	rev chase poc	0.20 at \$240.00/hr	\$48.00
06/22/2010 DD	rev hsbc bank poc	0.20 at \$240.00/hr	\$48.00
07/13/2010 DD	rev amex poc	0.20 at \$240.00/hr	\$48.00
07/14/2010 DD	rev poc american express	0.20 at \$240.00/hr	\$48.00
07/22/2010 DD	rev navy poc	0.20 at \$240.00/hr	\$48.00

Total Hours:	1.80 hrs
Total Service:	\$432.00
Total Amount:	\$432.00

In Reference To: **Fee Application Preparation (Service)**

07/22/2010 DD	ltr fee approval	0.20 at \$240.00/hr	\$48.00
07/22/2010 DD	prep fee app	1.00 at \$240.00/hr	\$240.00
In Reference To: Fee Application Preparation (Expenses)			
07/22/2010 DD	postage fee app and ltr	\$0.78	\$0.78
07/22/2010 DD	copies fee app and bill	\$3.00	\$3.00

Total Hours:	1.20 hrs
Total Service:	\$288.00
Expenses:	\$3.78
Total Amount:	\$291.78

Total Hours:	15.90 hrs
Total Service:	\$3,816.00
Total Expenses:	\$60.04
Total Invoice Amount:	\$3,876.04
Previous Balance:	\$0.00

Daniela Dimovski Attorney at Law P.C.
44200 Garfield Rd
Suite 124
Clinton Township, MI 48038

Invoice submitted to:

Pitts, Michael and Marcella
3606 Harrison Ave
Rochester Hills, MI 48307

Invoice #	20082
Invoice Date	07/22/2010
For Services Through	07/22/2010

4/15/2010 Payment - Check (\$726.00)
Balance (Amount Due): \$3,150.04

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

MICHAEL PITTS
MARCELLA PITT'S

CHAPTER 13
CASE NO: 10-53878-MBM
JUDGE: McIvor

Debtor(s)

ATTORNEY'S BIOGRAPHICAL STATEMENT IN SUPPORT OF APPLICATION FOR FEES

DANIELA DIMOVSKI, ATTORNEY AT LAW, P.C., counsel for Debtor herein, submits the following brief biographical statement in support of its Application for Attorney Fees as follows:

DANIELA DIMOVSKI

Experience

- Owner, Daniela Dimovski, Attorney at Law, P.C. 2008-present
- Partner, Chimko, Dzialo & Dimovski, P. C., 2003- 2008
- Sherrmeta, Chimko & Adams, P.C. associate attorney, bankruptcy department, 2000-2003

Education

- Bachelor of Arts, Michigan State University, 1995
- Juris Doctorate, Thomas M. Cooley, 1999
 - Dean's List
 - Thomas Cooley Journal of Practical and Clinical Law

Associations

- Member Consumer Bankruptcy Association
- Member Young Bankruptcy Lawyers Committee
- Member American Bar Association
- Member American Bankruptcy Institute
- Member National Association of Chapter 13 Trustees

Admitted To Practice

State Bar of Michigan; U.S. District Court Eastern District of Michigan; U.S. District Court Western District of Michigan; U.S. Court of Appeals Sixth Circuit

Areas of Legal Concentration

Consumer/Commercial Bankruptcy, Debtor/Creditor Rights and Insolvency

Continuing Legal Education

- ABI Central States Bankruptcy Workshop, June 2001
- NACTT, July 2001
- ABI Central States Bankruptcy Workshop, June 2002

EXHIBIT


- NACTT, July 2002
- NABT, August 2003
- ABI Central States Bankruptcy Workshop, June 2003
- NACTT, July 2003
- NCBJ, October 2003
- CBA, October 2003
- CBA, June 2004
- ABI, Central States 2004
- ABI, Central States 2005
- NACTT, July 2005
- CBA, 2005
- ABI, Central States 2006
- NACTT, July 2006
- CBA – Columbus Day Seminar, October 2006
- ABI, Central States 2007
- NACTT, July 2007
- Consumer ABI, Troy, MI, November 2007
- CBA seminar Peking House, June 2008
- ABI, Central States June 2008
- ABI Central States June 2009

Other

- Speaker at August 2005 National Business Institute Conference regarding BAPCPA
- Speaker at CBA seminar Peking House, June 2008
- Speaker ABI, Central States June 2008

Respectfully submitted,
DANIELA DIMOVSKI, ATTORNEY AT LAW, P.C.

By: /s/ Daniela Dimovski
DANIELA DIMOVSKI (60278)
Attorneys for Debtor
44200 Garfield Rd. Ste 124
Clinton Township, MI 48038
586-738-6329
danieladimovski@gmail.com

EXPENSES:

4/30/10	COPIES	\$0.25
4/30/10	POSTAGE	\$0.44
4/30/10	POSTAGE	\$0.44
4/30/10	COPIES ACH	\$1.50
4/30/10	COPIES PLAN	\$12.00
4/30/10	POSTAGE PLAN	\$9.36
5/17/10	POSTAGE ACH MTN	\$7.48
5/17/10	COPIES ACH MTN	\$8.50
6/7/10	PARKING 341	\$8.00
6/24/10	PARKING ACH MTN HRG	\$8.00
7/22/10	POSTAGE CH LTR	\$0.44
7/22/10	COPY CH LTR	\$0.25
7/22/10	POSTAGE FEE APP	\$0.78
7/22/10	COPIES FEE APP	\$3.00

EXHIBIT 7

\$60.04

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

MICHAEL PITTS
MARCELLA PITTS

CHAPTER 13
CASE NO: 10-53878-MBM
JUDGE: McIvor

Debtor(s)

**NOTICE OF APPLICATION FOR AWARD AND APPROVAL OF PAYMENT OF PRE-CONFIRMATION
ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN**

DANIELA DIMOVSKI, ATTONREY AT LAW, P.C., attorney for debtor herein have filed papers with the court for AWARD AND APPROVAL OF PAYMENT OF PRE-CONFIRMATION ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN.

<u>Fees Requested:</u>	\$3816.00
<u>Expenses Requested:</u>	\$ 60.04
<u>Balance of Retainer:</u>	\$726.00 was applied to this amount
<u>Time Period:</u>	MARCH 2, 2010 THROUGH JULY 22, 2010

PLEASE NOTE: The application is available for public review at the Clerk's Office, 211 West Fort Street, Detroit, MI, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the APPLICATION FOR AWARD AND APPROVAL OF PAYMENT OF POST-CONFIRMATION ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN, or if you want the court to consider your views on the application, within TWENTY ONE (21) days from the date of service of this application, you or your attorney must:

1. File a written response or an answer explaining your position with¹:

211 West Fort Street
Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the TWENTY FIRST (21ST) day from the date of service of this application.

You must also mail a copy to:

Daniela Dimovski, Attorney at Law, P.C., 44200 Garfield Rd. Suite 124, Clinton Township, MI 48038
David W. Ruskin, Chapter 13 Trustee, 26555 Evergreen Road, Suite 1100, Southfield, MI 48076

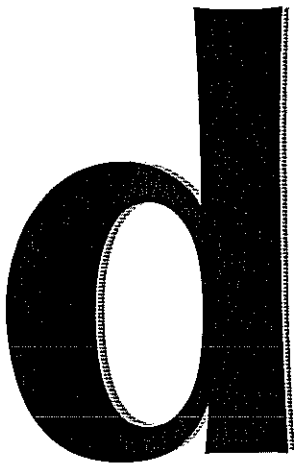
2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Respectfully submitted,
DANIELA DIMOVSKI, ATTORNEY AT LAW, P.C.

By:/s/Daniela Dimovski
DANIELA DIMOVSKI (60278)
Attorneys for Debtor
44200 Garfield Rd. Ste 124
Clinton Township, MI 48038
586-738-6329
danieladimovski@gmail.com

¹Response or answer must comply with F.R.Civ.P. 8(b), (c), (d) and (e).



daniela
DIMOVSKI
ATTORNEY AT LAW, P.C.

44200 Garfield Road, Ste. 124
Clinton Township, MI 48038
email: danieladimovski@gmail.com
web: macombbankruptcyattorney.com

P: 586.738.6329

F: 586.738.6387

EXHIBIT
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July 22, 2 010

Michael Pitts
Marcella Pitts
3606 Harrison Ave
Rochester, MI 48307

Re: 10-53878

Dear Michael and Marcella,

Enclosed please find my Application for Approval of Attorney Fees from March 3, 2010 through July 22, 2010. Pursuant to the Court's rules, I am required to seek your approval of the payment of my fees. As you may recall, you signed a retainer agreement with my office authorizing payment of my fees from the payments you make to the Court each month. Additionally, the Trustee will review my fees and the Judge will enter an Order approving my fees if there are no objections by you or other interested parties.

If you agree with the bill enclosed, please sign your name on the line below and return this paper only to my office no later than July 29, 2010.

I, Michael Pitts and Marcella Pitts, have received and reviewed the bill and Application for fees submitted by Daniela Dimovski Attorney at Law, P.C. and approve the payment of these fees for work performed on my case.

Michael A. Pitts
Michael Pitts

Michael A. Pitts
for Marcella Pitts

Thank you for the opportunity to represent you in this case.

Sincerely,


Daniela Dimovski